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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/091,157 06/09/98 PURVEY

R 52-348

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IM62/1215

EXAMINER

COOLEY, C

ART UNIT

PAPER NUMBER

1723

DATE MAILED:

12/15/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**09/091,157**

Applicant(s)  
**Purvey**

Examiner  
**Charles E. Cooley**

Group Art Unit  
**1723**



☒ Responsive to communication(s) filed on 9 Jun 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 4-6 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 4-6 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on 9 Jun 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## OFFICE ACTION

1. This application has been assigned to Technology Center 1700, Art Unit 1723 and the following will apply for this application:

a. **Please direct all written correspondence for this application to Art Unit**

**1723**. The examiner can be reached at telephone number (703) 308-0112.

b. Telephone inquiries regarding this application should be directed to the Technology Center 1700 receptionist at (703) 308-0651 or to the Examiner at (703) 308-0112. Facsimile correspondence for this application should be transmitted to (703) 305-3602 or (703) 305-7718.

### ***Priority***

2. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). All of the CERTIFIED copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

### ***Information Disclosure Statement***

3. Note the attached PTO-1449 form submitted with the Information Disclosure Statement filed 09 JUN 1998.

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### ***Drawings***

4. The drawings are objected to because of the following informalities:

- a. transfer aperture 39 is poorly shown in the Figures.

Correction is required.

5. Applicant should verify that (1) all reference characters in the drawings are described in the detailed description portion of the specification and (2) all reference characters mentioned in the specification are included in the appropriate drawing Figure(s) as required by 37 CFR 1.84(p)(5).

6. Applicant is required to submit a proposed drawing correction in response to this Office Action. Any proposal by the applicant for amendment of the drawings to cure defects must include a print or pen-and-ink sketch showing changes in *red ink* in accordance with MPEP § 608.02(v).

**IMPORTANT NOTE:** The filing of new formal drawings to correct the noted defect may be deferred until the application is allowed by the examiner, but the print or pen-and-ink sketch with proposed corrections shown in red ink is required in response to this Office Action, and *may not be deferred*.

### ***Specification***

7. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

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8. The disclosure is objected to because of the following informalities:

a. The specification should have the following headings inserted therein at the appropriate locations in accordance with 37 CFR 1.77:

**Arrangement of the Specification**

The following order or arrangement is preferred in framing the specification and, except for the title of the invention, each of the lettered items should be preceded by the headings indicated below.

- (a) Title of the Invention.
- (b) Cross-References to Related Applications (if any).
- (c) Statement as to rights to inventions made under Federally-  
sponsored research and development (if any).
- (d) Background of the invention.
  - 1. Field of the Invention.
  - 2. Description of the Related Art including information disclosed under 37 C.F.R. §§ 1.97-1.99.
- (e) Summary of the Invention.
- (f) Brief Description of the Drawing.
- (g) Description of the Preferred Embodiment(s).
- (h) Claim(s).
- (i) Abstract of the Disclosure.

Appropriate correction is required.

9. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

10. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed (MPEP 606.01).

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***Claim Objections***

11. The claims are objected to because they lack a proper introduction. The present Office practice is to insist that each claim must be the object of a sentence starting with "I (or we) claim", "The invention claimed is" (or the equivalent). MPEP § 608.01(m).

***Claim Rejections - 35 U.S.C. § 112***

12. Claims 4-6 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4, line 6: it appears --said-- should be inserted before "axle means" to clarify the wording.

Claim 5, line 1: "the upper bush" lacks antecedent basis; in line 2, which diameter is being referred to - the inner diameter of the bush 32 which abuts upper end 16<sub>1</sub> of the axle or the outer diameter of the bush 32 which abuts hollow member 30?

Claim 6, line 2: do the "upper and lower bushes" have any relationship to the bush at each end of the axle means as recited in claim 4?

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13. Each pending claim should be thoroughly reviewed such that these and any other informalities are corrected so the claims may particularly point out and distinctly claim the subject matter which applicant regards as the invention, as required by 35 U.S.C. § 112, second paragraph.

***Allowable Subject Matter***

14. Claims 4-6 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

15. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

The claims are deemed allowable over the prior art for the same reasons expressed in the IPER (Form 409) dated 26 SEP 1997.

***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited prior art discloses reaction driven centrifuges for separating particles out of oil.

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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Charles Cooley whose telephone number is ☎ (703) 308-0112.

18. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is ☎ (703) 308-0651.

Respectfully submitted,



**Charles Cooley**  
**Primary Examiner**  
**Art Unit 1723**

Dated: **10 December 1999**